

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSE  
AT KNOXVILLE

ISABEL ZELAYA, et al.,	)	
	)	
Plaintiffs,	)	
	)	Civil Action No 3:19-CV-62-PLR-HBG
v.	)	
	)	
ROBERT HAMMER, et al.,	)	
	)	
Defendants.	)	

**SUPPLEMENTAL BRIEF IN SUPPORT OF**  
**MOTION TO STAY DISCOVERY**

Come Defendants Robert Hammer, David Vicente Pena, Francisco Ayala, Billy Riggins, Anthony Martin, Matthew Grooms, Jerrol Partin, Theodore Francisco, Travis Carrier, Trevor Christensen, Glen Blache, Brenda Dickson, George Nalley, Clint Cantrell, Ricky Thornburgh, Jonathan Hendrix, Ryan Hubbard, Wayne Dickey, James Liles, Michael Perez, Keith Hale, Dennis Fetting, Deni Bukvic, Kashif Chowhan, Blake Diamond, Paul Criswell, Jeffery Klinko, Jeffery Schroder, David Lodge, Wayne Hinkle, Connie Stephens, Tommy Pannell, Shannon Hope, Troy McCarter, Bradley Harris, Joshua McCready, Ronald Appel, Bobby Smith, Robert Whited, Trey Lund, Michelle Evans, Steven Ledgerwood, Christopher Cannon, John Heishman, Aunrae Navarre, Ricky Smith, Matthew Moon, Jason Miller, Jeff Bednar, Austin Williams, Nick Worsham, and the United States, (hereinafter “Defendants”), by and through J. Douglas Overbey, United States Attorney for the Eastern District of Tennessee, and file this supplemental brief, pursuant to E.D. Tenn. L.R. 7.1(d), to advise the Court of developments that followed the filing of the final brief on this issue.

Specifically, Defendants advise that:


1. On February 10, 2020, in response to a subpoena served upon the IRS in November 2019, *see* Exhibit 1, the United States, through the Tax Division of the United States Department of Justice, produced to Plaintiffs' counsel the following:
  - a. Five hundred and twenty-one (521) pages of photos taken during the execution of the search warrant on April 5, 2018;
  - b. The memorandum of interview of James M. Brantley on April 5, 2018;
  - c. Six hundred and five pages (605) of emails from various federal agents relating to the search warrant execution;
  - d. Four videos inside the Southeastern Provision facility shot during the execution of the search warrant, along with drone video previously produced by the United States;
  - e. Files created and compiled in relation to the execution; and
  - f. Further, agreed to provide additional copies of the surveillance videos that were previously provided to counsel in this case.
2. Additionally, on March 9, 2020, pursuant to a subpoena served by Plaintiffs, the parties completed a site visit at Southeastern Provision. Defendants did not object to this subpoena and cooperated in the scheduling and completion of the site visit.
3. Finally, the United States has provided external drives containing the surveillance video seized from Southeastern Provision to Plaintiffs to replace the internal drives originally provided. The United States has participated in an IT-to-IT call to aid in viewing of this data and has shared techniques it found to be useful in viewing the

data output from the surveillance system, which was selected and maintained by Southeastern Provision.

Defendants submit that the disclosure of this additional information, lack of objection to the site visit, and the efforts to aid in review of the data offer further support for the Defendants' request that further discovery in this case be stayed.

Respectfully submitted,

J. DOUGLAS OVERBEY  
United States Attorney

By:   
Kenny L. Saffles, BPR #023870  
Leah W. McClanahan, BPR #027603  
Assistant United States Attorney  
800 Market Street, Suite 211  
Knoxville, Tennessee 37902  
Kenny.Saffles@usdoj.gov  
Leah.McClanahan@usdoj.gov  
Telephone: (865) 545-4167